

REMARKS

Applicants hereby add new claims 182-185 and cancel claims 41-42, 45-46, and 135.

Support for the new claims is provided at least by the teachings of Fig. 24 and the associated teachings of the specification.

Claims 1-5, 10, 11, and 13-18 stand rejected under 35 USC 101 for double patenting. Claims 1, 10, 11, 13-15, 17, 49-51, 54-62, 133-135, 152, 153, 165-167 and 177 stand rejected under 35 USC 102 for anticipation by U.S. Patent No. 6,048,256 to Obeng et al. Claims 39, 41-48, 179 and 181 stand rejected under 35 USC 103 for obviousness over Obeng. Claims 2-5, 16, 18, 22-26, 130 and 163 stand rejected under 35 USC 103 for obviousness over Obeng in view of U.S. Patent No. 3,713,743 to Simms or U.S. Patent No. 5,172,332 to Hungerford et al. Claim 53 stands rejected under 35 USC 103 for obviousness over Obeng in view of U.S. Patent No. 5,755,614 to Adams et al.

Applicants respectfully request reconsideration of the rejections.

Referring to the double patenting rejection, Applicants intend to allow application 11/521,669 to go abandoned.

Referring to independent claim 1, Obeng teaches generically flushing a mixing chamber and dispenser to prepare for another process (e.g., change from metal polishing to dielectric polishing). These generic teachings fail to disclose the combination of limitations of the claimed system comprising a *sensor configured to output signals indicative of turbidities of fluids within the connection*, a flush system configured to selectively flush the connection, and the *control system configured to control at least one operation of the flush system with respect to flushing the connection using the signals*

which are indicative of the turbidities as claimed.

Applicants respectfully submit that positively-recited limitations of the claims are not disclosed nor suggested by Obeng and the prior art rejection is in error.

The claims which depend from claim 1 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 18, the Office relies upon teachings of Hungerford or Simms to cure the deficiencies of Obeng. However, the combined teachings of the prior art fail to disclose the positively-claimed combination of limitations. In particular, the prior art fails to teach the limitations of the *control system configured to compare a signal indicative of turbidity of the sample of the process fluid with a signature to determine at least one characteristic of the process fluid*. Furthermore, the art fails to teach the limitations of the *control system configured to control a flow rate of the process fluid into the process chamber responsive to the comparison*.

Applicants respectfully submit that positively-recited limitations of the claims are not disclosed nor suggested by the prior art references taken alone or in combination and the prior art rejection is in error.

The claims which depend from claim 18 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 39, the generic flushing teachings of Obeng fail to teach the claimed limitations of the *control system coupled with the sensor and configured to control the flush system to prime the connection using the flush fluid comprising the*

*process fluid and to control the flush system to provide the process fluid used to prime the connection to a drain until the turbidity of the process fluid used to prime the connection is acceptable and to thereafter provide the process fluid to the process chamber responsive to the turbidity of the process fluid being acceptable.*

Applicants respectfully submit that positively-recited limitations of the claims are not disclosed nor suggested by Obeng and the prior art rejection is in error.

The claims which depend from claim 39 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 49, Applicants respectfully submit the reliance upon inherency is improper and the 102 rejection is in error. In particular, the generic turbidity monitoring teachings of Obeng fail to teach or suggest provision of a signal indicative of accumulation of particulate matter within a connection as claimed. Furthermore, the Office has not provided any rationale as to how such limitations are considered to necessarily flow from the teachings of Obeng. Obeng also fails to teach or suggest the *control system configured to control the flush system using the monitoring of the accumulation* as claimed. Applicants respectfully submit the reliance upon inherency is in error and the 102 rejection is improper for at least this reason.

Applicants respectfully submit that positively-recited limitations of the claims are not disclosed nor suggested by Obeng and the prior art rejection is in error.

The claims which depend from claim 49 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 58, Applicants respectfully submit the reliance upon inherency is improper and the 102 rejection is in error. More specifically, Obeng is *void of any reference to a drain* and the positively recited limitations that the *control system is configured to control removal of at least a portion of the semiconductor workpiece process fluid from the system via the drain using the monitoring of the semiconductor workpiece process fluid* may not be considered to necessarily flow from the teachings of Obeng. Applicants respectfully submit the reliance upon inherency is in error and the 102 rejection is improper for at least this reason.

Applicants respectfully submit that positively-recited limitations of the claims are not disclosed nor suggested by Obeng and the prior art rejection is in error.

The claims which depend from claim 58 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 130, the combined limitations defining that the *control system is configured to control a flow rate of the process fluid into the process chamber responsive to the comparison of the substantially static process fluid with the signature* is not disclosed nor suggested by the teachings of the numerous references of Obeng, Hungerford and Simms taken alone or in combination.

Applicants respectfully submit that positively-recited limitations of the claims are not disclosed nor suggested by the prior art references and the prior art rejection is in error.

The claims which depend from claim 130 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 133, the generic flushing teachings of Obeng fail to teach or suggest the claimed *control system configured to control the flush system to cease the flushing of the connection with the rinse fluid using the signals which are indicative of turbidities of fluids within the connection.*

Applicants respectfully submit that positively-recited limitations of the claims are not disclosed nor suggested by Obeng and the prior art rejection is in error.

The claims which depend from claim 133 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 163, the combined limitations that the *control system is configured to control a flow rate of the process fluid into the process chamber using the comparison of the turbidity of the substantially static process fluid with the signature* is not disclosed nor suggested by the teachings of the numerous references of Obeng, Hungerford and Simms taken alone or in combination.

Applicants respectfully submit that positively-recited limitations of the claims are not disclosed nor suggested by the prior art references and the prior art rejection is in error.

The claims which depend from claim 163 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 165, the generic flushing teachings of Obeng fail to teach or suggest the claimed limitations of the *sensor configured to monitor turbidity of the process fluid and to output a signal indicative of turbidity and the flush system coupled with the connection and configured to selectively flush the connection* in combination with the

*control system coupled with the sensor and configured to control at least one operation of the flush system using the signal.*

Applicants respectfully submit that positively-recited limitations of the claims are not disclosed nor suggested by the prior art and the prior art rejection is in error.

The claims which depend from claim 165 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to independent claim 179, Obeng merely generically discloses flushing teachings. The generic teachings regarding flushing may not be fairly considered to teach the specifically recited limitations of the *sensor coupled with the flush system and configured to output a signal indicative of the flush fluid in combination with the control system configured to control the flush system to flush the connection using the signal which is indicative of the flush fluid.*

Applicants respectfully submit that positively-recited limitations of the claims are not disclosed nor suggested by the prior art and the prior art rejection is in error.


The claims which depend from claim 179 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Applicants respectfully request allowance of all pending claims.

The Examiner is requested to phone the undersigned if the Examiner believes such would facilitate prosecution of the present application. The undersigned is available for telephone consultation at any time during normal business hours (Pacific Time Zone).

Respectfully submitted,

Dated: 10/20/08

By:   
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